



# CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

## **Brunswick Planning Commission Minutes June 26, 2006**

**Commission Members Present:** Chair Ed Gladstone, Vice Chair Connie Koenig, Don Krigbaum, and Ellis Burruss, Alternate.

**Staff Present:** City Development Review Planner Jeff Love, Comprehensive and Utility Planner Jack Whitmore, and County Planning Liaison Carole Larsen.

Chair Gladstone called the meeting to order at 7:00 PM.

### **Minutes**

The minutes of the May 22, 2006 meeting and June 5, 2006 Master Plan Workshop were reviewed and approved as amended. (MOTION by Mr. Burruss and seconded by Ms. Koenig unanimously passed.)

### **Chairman**

Mr. Gladstone stated that the night's events were being televised and recorded.

### **Old Business**

**Staff review of the status and schedule revisions for Update/Re-write of the Master Plan current City of Brunswick Master Plan for re-adoption.**

Mr. Whitmore reviewed the Schedule, Survey Results, and progress with regard to the Master Plan Update/Rewrite.

Mr. Whitmore answered questions from the Commission.

### **New Business**

Mr. Gladstone requested all those in attendance who were going to speak to rise and be sworn in.

### **Zoning – Site Plans**

**Galyn Manor Recreational Amenities Site Plan – Request for Site Plan Approval for 23092 SF of Recreational Areas in the Galyn Manor PUD, located West of MD Route 464, North of Souder Road. Zoning Classification: R-1; BR-PUD-01-SP-RA**

## **Planning Commission Minutes**

**June 26, 2006**

**Page 2 of 10**

### **Staff Presentation and Recommendation**

Mr. Love presented the Staff Report for proposed recreational amenities within the Galyn Manor PUD. The Staff Report included the following:

“An alternative to mitigate the lack of Active Recreation Area may be the temporary use of the School Site. Staff contacted the FCPS to explore the possibility of temporary use of the School Site for Active Recreation by the HOA. The FCPS Staff indicated that they do not have any objection to the concept, but an Agreement for the Temporary Use of the Site until the school construction process begins is required and the BOE will have to approve it. They are willing to discuss it and work the details out with the developer. The developer then would restore the site for active recreation when the existing Construction Trailers are removed, and stabilize it after the Recreation Amenities are constructed.”

Staff recommended that the Planning Commission find that the existing School Site, as graded, does not fulfill the requirements for Recreation Area in Article 21.5 of the Zoning Ordinance, but recommends approval of the Site Plan in accordance with the Staff Report and the following specific conditions:

1. Provide additional improvements to Staff's satisfaction on the Recreation Areas shown on the Site Plan.
2. Enter into an Agreement with the BOE for the temporary use of the School Site for Active Recreation.
3. Provide improvements and recreation amenities to the School Site to Staff's satisfaction.
4. Address Checksheet Items and Staff Comments to Staff's satisfaction.
5. Complete the PWA/MPWA Process with Cost Estimates, Guarantees, etc. to include verbiage with regard to an agreement with the BOE to temporarily use the School Site and include the Recreation Items in the Cost Estimate and Guarantee.
6. Provide an acceptable form of documentation for Temporary Guarantee of all of the Recreation Improvements, while a PWA/MPWA Process is completed.
7. Provide Staff with a copy of the Agreement for use of the BOE Parcel.
8. Address applicable Agency Comments.
9. Applicant bound by their testimony.

Mr. Love answered Commission questions with regard to the proposed site plan and Staff Recommendation.

Mr. Burruss commented that the HOA should be involved in the design.

### **Applicant:**

Mr. Joe McGraw, Pulte Homes, presented the applicant's case. He indicated that clarification was needed on some of the conditions. He stated that it was his understanding that the requirement for the Recreation Areas was taken care of with the transfer of 4.6 acres to the School Site.

Mr. McGraw stated that he was not prepared to accept the conditions as stated and requested that the item be continued until the next meeting. Additionally, he stated that he will try to involve the HOA with the item.

## **Planning Commission Minutes**

**June 26, 2006**

**Page 3 of 10**

### **Public Comment:**

Mr. Mark Cramer, President of the Galyn Manor HOA, commented on the item.

Mr. Mike Acker, Secretary of the Galyn Manor HOA, commented on the item.

### **Rebuttal:**

None.

### **Decision:**

Mr. Burruss made a motion to continue the request until the July 24, 2006 meeting in accordance with the applicant's wishes; Mr. Krigbaum seconded the motion.

**VOTE:   Yea   4   Nay   0**

**Hopwood Enterprises Warehouse & Brunswick Self Storage - Located West of Walnut Avenue, South of West Potomac Street, Zoning Classification: I-1; Water and Sewer Classification: W-1, S-1; BR-SP-03-04-SP**

### **Staff Presentation and Recommendation**

Mr. Love presented the Staff Report for approval of the proposed Warehouse and Self Storage Facility on Parcels 420 and 421, and Hopwood Enterprises and other uses on Parcel 418.

Staff recommended Approval of the Site Plan in accordance with the Staff Report and the following specific conditions:

1. The Addition Plat is required to be approved and recorded prior to Site Development Plan approval.
2. The Condition of Planning Commission Concurrence with the intent of the Master Plan must be noted on the Site Plan to include the following:
  - The minimum width of the alley right-of-way is 20' in accordance with the Design Manual.
  - The minimum pavement section for the alley is 16' in accordance with the Design Manual.
  - The ability of Emergency Vehicles to maneuver in the alley is proven and acceptable with Public Work, City Engineer, and the Brunswick VFD during Site Plan Process or the right-of-way and paving increased to accommodate that movement.
3. The Dedication of Jaynie's Way must be platted and recorded prior to Site Development Plan approval.
4. Public Works and City Engineer approval of the type of improvements and right-of-way width.
5. Applicant submission of all required Design Manual Modifications Request, and the City Public Works in conjunction with the City Engineer approval of any required Modifications to the Design Manual.

## **Planning Commission Minutes**

**June 26, 2006**

**Page 4 of 10**

### **Staff Presentation and Recommendation Cont.**

6. The modification of the easement width must be received and noted on the Plan prior to Site Plan Signature.
7. The Sanitary Sewer Easement over the existing Sewer Main must be completed prior to or with the PWA Package for the Public and Private Improvements or prior to issuance of a Zoning Certificate.
8. The Planning Commission is in approval of the Closure and Abandonment of Walnut Street Extended, and the Opening and One-Way Movement of the new alley Jaynie's Way with the condition that the Addition/Dedication Plat, Site Development Plan, and PWA Package are approved and applicant completes the construction and City Acceptance Process, subject to Mayor & Council Approval.
9. All Off-Site Easements/Licenses must be obtained and copies of Non-City Documents provided to the City prior to the issuance of any Zoning Certificate.
10. The Joint-Access Easement for the private access from West Potomac Street must be shown on the Addition Plat, and the recorded Easement Document submitted to Staff prior to issuance of a Zoning Certificate.
11. The Emergency Access note for the private drive off of West Potomac Street must be added to the Plan and a physical sign placed at the entrance at the owner's expense to indicate the Access.
12. Applicant must demonstrate that Emergency Vehicles can use and navigate the Emergency Access to the City Engineer's satisfaction.
13. Walnut Street access must be labeled for Emergency Vehicles only, with customer access from West Potomac Street only and a Sign placed at the entrance. It must be demonstrated that emergency vehicles have the ability to use the emergency access from Walnut Street.
14. If West Potomac Street is expanded, the planting strip and landscaping fronting on West Potomac Street must be removed and replaced behind the Master Plan Right-of-Way at the owner's expense.
15. Signage calculations must be revised to reflect any existing signage. The Signage note must also indicate if proposed signage is to be lighted either internally or externally and times if any that the signage will be lighted. Signage and calculations are subject to Staff final review and approval.
16. FRO Fee-in-Lieu acceptable to the Planning Commission.
17. Applicant provide documentation that the Fee-in-Lieu has been paid and acceptable to the FRO Reviewer prior to the issuance of a Zoning Certificate.
18. Address Checksheet Items and Staff Comments to Staff's satisfaction.
19. Site Development Plan Approval by the County DPDR.
20. Address appropriate Agency Comments.
21. Applicant bound by their testimony.

Mr. Love answered Commission questions with regard to the proposed site plan and Staff Recommendation.

### **Applicant:**

Mr. Dave Adams, Van Mar Associates presented the applicant's case with Mr. Bill Hopwood, applicant. He indicated that they had objections to the Staff Recommendation, and requested clarification on the conditions.

## **Planning Commission Minutes**

**June 26, 2006**

**Page 5 of 10**

### **Applicant Cont.**

Mr. Adams requested that the conditions be amended to include the following:

- Allow issuance of a Zoning Certificate for the project in order to file building permits with the County prior to completion of the remaining items in the project.
- That the closure and abandonment of Walnut Street extended and the opening of the proposed alley not delay the project.
- That the Planning Commission determine that the circulation study for the project is approved tonight.

Mr. Adams presented exhibits to support his requests.

### **Public Comment:**

Mr. Harry George commented in favor of the Site Plan.

Mr. Tony Barnhouse, a member of the Brunswick Ambulance Company commented that the alley known as George's Alley is not used by the Ambulance Company.

Mr. Randy George commented in favor of the Site Plan.

Mr. Tim Erfourth commented in favor of the Site Plan.

Ms. Kim Cable commented in favor of the Site Plan.  
(Mr. Larry Cable yields his time to Kim Cable.)

Mr. Love read an e-mail from Melanie Baugher into the record.

### **Rebuttal:**

Mr. Love responded to the requests for amendment as presented in the applicant's case and stated that the requests could not be completed procedurally.

### **Decision:**

Ms. Koenig made a motion to approve the request in accordance with Staff Recommendation and Conditions; Mr. Burruss seconded the motion with the added condition that items associated with the project be expedited to the extent possible.

**VOTE:   Yea   4   Nay   0**

### **Zoning – Site Improvement Plans**

**Elevated Water Storage Tower – Request for Site Improvement Plan approval for a second Water Elevated Tank on the Reservoir Site, Located the end of K East Street and South of Souder Road. Zoning Classification: R-1; Water and Sewer Classification: W-1, S-1; BR-SP-05-01-IP**

## **Planning Commission Minutes**

**June 26, 2006**

**Page 6 of 10**

### **Staff Presentation and Recommendation**

Mr. Love presented the Staff Report for approval of the proposed onsite infrastructure construction in order to construct a new elevated water storage tank at the City reservoir site.

Staff recommended Approval of the Improvement Plans in accordance with the Staff Report and with the following specific conditions:

1. Address Checksheet Items and Staff Comments to Staff's satisfaction.
2. Address appropriate Agency Comments.
3. Applicant bound by their testimony.

Mr. Love answered Commission questions with regard to the proposed site plan and Staff Recommendation.

### **Applicant:**

Mr. Dan Snyder, Brunswick Crossing, LLC presented the applicants case with Mr. Jerry Connelly, Brunswick Crossing, LLC. He indicated that they had no objections to the Staff Recommendation and answered questions from the Planning Commission.

### **Public Comment:**

Ms. Ritchie Ververka commented with concerns regarding runoff from the reservoir site.

Mr. James Womack commented with concerns regarding runoff from the reservoir site.

### **Rebuttal:**

None.

### **Decision:**

Mr. Burruss made a motion to approve the request in accordance with Staff Recommendation and Conditions; Mr. Krigbaum seconded the motion.

**VOTE: Yea 4 Nay 0**

### **Subdivision – Outlot Plat**

**Brunswick Crossing, Outlot 1 - Request for Outlot Plat approval, located on the South side of Burkittsville Road (Md Rte 17), East of Jefferson Pike (MD Rte 180)  
Zoning Classification: OR, BR-S-06-02-OP**

### **Staff Presentation and Recommendation**

Mr. Love presented the Staff Report for approval of the proposed outlot plat on the Brunswick Crossing property.

Staff recommended approval of the Brunswick Crossing Outlot Plat in accordance with the Staff Report and the following specific conditions:

## **Planning Commission Minutes**

**June 26, 2006**

**Page 7 of 10**

### **Staff Presentation and Recommendation Cont.**

1. Address Checksheet Items and Staff Comments to Staff's satisfaction.
2. Denied Access Leaders must be extended to include the truncations on proposed Volunteer Drive.
3. A Combined Preliminary/Final Plat Process or the Preliminary Plan Process must be completed to create a building lot prior to or simultaneously with the Site Plan.
4. Address appropriate Agency Comments.
5. Applicant is bound by their testimony.

### **Applicant:**

Mr. Dan Snyder, Brunswick Crossing, LLC presented the applicants case with Mr. Jerry Connelly, Brunswick Crossing, LLC. He indicated that they had no objections to the Staff Recommendation.

Messers. Snyder and Connelly answered questions from the Commission.

### **Public Comment:**

Ms. Kim Cable commented on Fire Company use of the property.

### **Rebuttal:**

None.

### **Decision:**

Mr. Krigbaum made a motion to approve the request in accordance with Staff Recommendation and Conditions; Ms. Koenig seconded the motion.

**VOTE: Yea 4 Nay 0**

### **Subdivision – Addition Plat**

**Clark Addition to Woodside Station, Remainder Addition to Lot 1 - Request for Addition Plat approval, located on the West of Thirteenth Avenue, South of Pepperidge Place. Zoning Classification: R-1 & OS, BR-S-99-01-AP**

### **Staff Presentation and Recommendation**

Mr. Love presented the Staff Report for approval of the proposed addition plat.

Staff recommended approval of the Addition Plat in accordance with the Staff Report and the following specific conditions:

1. Address Checksheet Items and Staff Comments to Staff's satisfaction.
2. Address appropriate Agency Comments.
3. Applicant is bound by their testimony.
4. A copy of the recorded Confirmatory Deed to be submitted with recording information prior to the issuance of any Zoning Certificate.

## **Planning Commission Minutes**

**June 26, 2006**

**Page 8 of 10**

### **Applicant:**

Not Present.

### **Public Comment:**

None.

### **Rebuttal:**

None.

### **Decision:**

Mr. Burruss made a motion to approve the request in accordance with Staff Recommendation and Conditions; Ms. Koenig seconded the motion.

**VOTE:   Yea   4   Nay   0**

**Hopwood Properties, LLC Addition to Hopwood Properties, LLC, Parcel 420 and Part of Parcel 418 Addition to Parcel 421 - Request for Addition Plat approval, located West of Walnut Street, South of West Potomac Street, and South of Alley 6. Zoning Classification: I-1, BR-S-05-01-AP**

### **Staff Presentation and Recommendation**

Mr. Love presented the Staff Report for approval of the proposed addition plat..

It was further stated that the following checksheet items remain to be addressed to Staff's satisfaction:

- Reservation for Future R/W must be shown in Parcel 418
- Alley Reservation of future R/W along the undedicated portions of the existing alley must be shown
- BRL must be drawn from Reservation Lines
- SS Easement must be graphically shown in accordance with Design manual Requirements
- Joint Use Easement for access to West Potomac must be shown
- Certifications must be corrected to reflect City references and Final Plat
- Correct Signature Block must be shown
- Mayor & Council must Conditionally Approve Abandonment of Existing Alley and Conditionally Approve a Request to Open the new alley
- New alley dedication must conform to Site Plans and Site Development/Improvement Plans
- Label name of new alley

Staff recommended approval of the Addition and Dedication Plat in accordance with the Staff Report and the following specific conditions:

1. Address Checksheet Items, Additional Review comments, Staff Report Comments, and Approval Conditions to Staff's satisfaction.



## **Planning Commission Minutes**

**June 26, 2006**

**Page 9 of 10**

### **Staff Presentation and Recommendation Cont.**

2. Areas of Future Dedication must be reserved and indicated on the plat.
3. Joint-Access Easement must be dimensioned and graphically indicated on the plat, and copies of the document establishing the Joint Use Easement must be provided to Staff Prior to issuance of a Zoning Certificate.
4. Applicant must fulfill the conditions of the re-location of the new alley prior to signature of the plat.
5. Applicant submits a request to the Mayor & Council, and Mayor & Council Close and Abandon the existing Walnut Street Extended and approve the Opening of the new alley in accordance with the City Street & Alley Procedures.
6. Site Development Plans must be signed and the PWA Process completed prior to the plat approval signature.
7. SS Easements must be graphically shown on the Plat. Deeds of Easement must be approved in accordance with City Procedures as part of the Site Development Plan and PWA Package or prior to the issuance of a Zoning Certificate.
8. Address Agency Comments.
9. Applicant is bound by their testimony.

Additionally, Staff recommended that the Planning Commission instruct Staff to forward a recommendation of approval for the Closure and Abandonment of Walnut Street Extended as indicated on the plat, and the Opening of the new alley, Jaynie's Way, with the following Conditions:

1. New alley is designed, constructed and accepted in accordance with City Procedures.
2. Improvement Plans and the PWA Process are completed in accordance with City Procedures.

Also, Staff is instructed to forward the recommendation to the Mayor & Council in the form of either a Staff Report or Correspondence.

### **Applicant:**

Mr. Dave Adams, Van Mar Associates presented the applicants case with Mr. Bill Hopwood, applicant. It was indicated that the applicant basically agreed with the conditions, but requests that a Zoning Certificate be issued after the Site Plan is complete and approved.

### **Public Comment:**

None.

### **Rebuttal:**

Mr. Love stated that a Zoning Certificate cannot be issued until the items associated with the entire project are complete.

### **Decision:**

Mr. Burruss made a motion to approve the requests in accordance with Staff Recommendation and Conditions; Mr. Koenig seconded the motion.

**Planning Commission Minutes**

**June 26, 2006**

**Page 10 of 10**

**Decision Cont.**

**VOTE: Yea 4 Nay 0**

**Public Comment**

Mr. Love stated that there would be a regular meeting next month on July 24, 2006.

**Adjournment**

The meeting was adjourned at 10:40 PM.

Respectfully submitted,

Edward Gladstone, Chair  
Brunswick Planning Commission